

**REMARKS**

Claims 2, 5, 8, and 10-12 have been canceled. Claims 3, 6, 9, and 13-15, and amended claims 1, 4, and 7 are in this application.

Claims 1, 3, 4, 6, 7, 9, and 13-15 were rejected under 35 U.S.C. 103(a) as being obvious over WIPO Patent Application Publication No. WO00/52684 to Kihara et al.

Amended independent claim 1 now recites in part the following:

"in which said judging unit is operable to judge whether said received data conforms to the IEC60958 standard so as to be audio data **by utilizing data in a format ID portion of a CIP header portion of an isochronous packet of said received data,** and

in which said judging unit is operable to judge whether said received data is the encrypted data **by utilizing data in a synchronization portion of the isochronous packet header of the isochronous packet** of said received data." (Emphasis added.)

It is respectfully submitted that Kihara as applied by the Examiner does not appear to disclose the above-identified features of claim 1. Further, although the Examiner has taken Official Notice with regard to determining the "correctness of an audio stream by testing against an industry standard, such as IEC60958," it is respectfully submitted that such use of Official Notice does not appear to specifically apply to the above-identified features of claim 1. Accordingly, it is respectfully submitted that claim 1 is distinguishable from the applied combination of Kihara and Official Notice. Therefore, it is respectfully requested that the above 103 rejection of claim 1 be withdrawn.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 4 and 7 are also distinguishable from the applied combination of Kihara and Official Notice.

Claims 3, 6, 9, and 13-15 are dependent from one of the amended independent claims. Accordingly, it is also respectfully submitted that dependent claims 3, 6, 9, and 13-15 are distinguishable from the applied combination of Kihara and Official Notice for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

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If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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